

ORIGINAL

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS

CLERK US DISTRICT COURT
NORTHERN DIST. OF TX
FILED

2021 MAY 10 PM 4:05

DEPUTY CLERK _____ *CT*

Lee Moss

Plaintiff

3-21CV1055-B

Civil Action No.

v.

Medline Inc. (WILMER B-06)

Defendant

COMPLAINT

"See Attachment"

* Attach additional pages as needed.

Date 5-10-21

Signature *LM*

Print Name Lee Moss

Address ~~8080~~ 8081 Marvin D. Love Fwy #1211

City, State, Zip DALLAS, TX. 75237

Telephone 214-562-6955

**INFORMATION RELATED TO FILING SUIT
UNDER THE LAWS ENFORCED BY THE EEOC**

*(This information relates to filing suit in Federal or State court under Federal law.
If you also plan to sue claiming violations of State law, please be aware that time limits and other
provisions of State law may be shorter or more limited than those described below.)*

**PRIVATE SUIT RIGHTS -- Title VII of the Civil Rights Act, the Americans with Disabilities Act (ADA),
the Genetic Information Nondiscrimination Act (GINA), or the Age
Discrimination in Employment Act (ADEA):**

In order to pursue this matter further, you must file a lawsuit against the respondent(s) named in the charge **within 90 days of the date you receive this Notice**. Therefore, you should **keep a record of this date**. Once this 90-day period is over, your right to sue based on the charge referred to in this Notice will be lost. If you intend to consult an attorney, you should do so promptly. Give your attorney a copy of this Notice, and its envelope or record of receipt, and tell him or her the date you received it. Furthermore, in order to avoid any question that you did not act in a timely manner, it is prudent that your suit be filed **within 90 days of the date this Notice was issued to you** (as indicated where the Notice is signed) or the date of the postmark or record of receipt, if later.

Your lawsuit may be filed in U.S. District Court or a State court of competent jurisdiction. (Usually, the appropriate State court is the general civil trial court.) Whether you file in Federal or State court is a matter for you to decide after talking to your attorney. Filing this Notice is not enough. You must file a "complaint" that contains a short statement of the facts of your case which shows that you are entitled to relief. Your suit may include any matter alleged in the charge or, to the extent permitted by court decisions, matters like or related to the matters alleged in the charge. Generally, suits are brought in the State where the alleged unlawful practice occurred, but in some cases can be brought where relevant employment records are kept, where the employment would have been, or where the respondent has its main office. If you have simple questions, you usually can get answers from the office of the clerk of the court where you are bringing suit, but do not expect that office to write your complaint or make legal strategy decisions for you.

PRIVATE SUIT RIGHTS -- Equal Pay Act (EPA):

EPA suits must be filed in court within 2 years (3 years for willful violations) of the alleged EPA underpayment: back pay due for violations that occurred **more than 2 years (3 years) before you file suit** may not be collectible. For example, if you were underpaid under the EPA for work performed from 7/1/08 to 12/1/08, you should file suit **before 7/1/10** -- *not* 12/1/10 -- in order to recover unpaid wages due for July 2008. This time limit for filing an EPA suit is separate from the 90-day filing period under Title VII, the ADA, GINA or the ADEA referred to above. Therefore, if you also plan to sue under Title VII, the ADA, GINA or the ADEA, in addition to suing on the EPA claim, suit must be filed within 90 days of this Notice and within the 2- or 3-year EPA back pay recovery period.

ATTORNEY REPRESENTATION -- Title VII, the ADA or GINA:

If you cannot afford or have been unable to obtain a lawyer to represent you, the U.S. District Court having jurisdiction in your case may, in limited circumstances, assist you in obtaining a lawyer. Requests for such assistance must be made to the U.S. District Court in the form and manner it requires (you should be prepared to explain in detail your efforts to retain an attorney). Requests should be made well before the end of the 90-day period mentioned above, because such requests do not relieve you of the requirement to bring suit within 90 days.

ATTORNEY REFERRAL AND EEOC ASSISTANCE -- All Statutes:

You may contact the EEOC representative shown on your Notice if you need help in finding a lawyer or if you have any questions about your legal rights, including advice on which U.S. District Court can hear your case. If you need to inspect or obtain a copy of information in EEOC's file on the charge, please request it promptly in writing and provide your charge number (as shown on your Notice). While EEOC destroys charge files after a certain time, all charge files are kept for at least 6 months after our last action on the case. Therefore, if you file suit and want to review the charge file, **please make your review request within 6 months of this Notice**. (Before filing suit, any request should be made within the next 90 days.)

IF YOU FILE SUIT, PLEASE SEND A COPY OF YOUR COURT COMPLAINT TO THIS OFFICE.

EEOC Form 161 (11/2020)

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: **Lee A. Moss**
8081 Marvin D Love Fwy
#1211
Dallas, TX 75237

From: **Dallas District Office**
207 S. Houston St.
3rd Floor
Dallas, TX 75202

☐

On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

450-2021-00811

Juan F. Munoz,
Intake Supervisor

(972) 918-3607

THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:

☐

The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.

☐

Your allegations did not involve a disability as defined by the Americans With Disabilities Act.

☐

The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.

☐

Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge

☒

The EEOC issues the following determination: The EEOC will not proceed further with its investigation, and makes no determination about whether further investigation would establish violations of the statute. This does not mean the claims have no merit. This determination does not certify that the respondent is in compliance with the statutes. The EEOC makes no finding as to the merits of any other issues that might be construed as having been raised by this charge.

☐

The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.

☐

Other (briefly state)

- NOTICE OF SUIT RIGHTS -

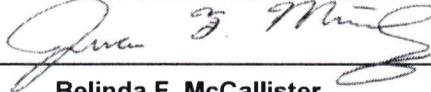
(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit **must be filed WITHIN 90 DAYS of your receipt of this notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the Commission

for



Belinda F. McCallister,
District Director

2/22/2021

(Date Issued)

Enclosures(s)

cc:

Lisa Bowen
HR Manager
MEDLINE INDUSTRIES
1 Medline Dr
Wilmer, TX 75172

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

| | |
|---|---|
| I. (a) PLAINTIFFS | DEFENDANTS |
| (b) County of Residence of First Listed Plaintiff <u>DALLAS</u> (EXCEPT IN U.S. PLAINTIFF CASES) | County of Residence of First Listed Defendant <u>DALLAS</u> (IN U.S. PLAINTIFF CASES ONLY) |
| (c) Attorneys (Firm Name, Address, and Telephone Number) | Attorneys (If Known) |

| | |
|--|--|
| II. BASIS OF JURISDICTION (Place an "X" in One Box Only) | III. CITIZENSHIP OF PRINCIPAL PARTIES (For Diversity Cases Only) |
| <input type="checkbox"/> 1 U.S. Government Plaintiff | PTF DEF |
| <input type="checkbox"/> 2 U.S. Government Defendant | Citizen of This State <input checked="" type="checkbox"/> 1 <input type="checkbox"/> 1 Incorporated or Principal Place of Business In This State |
| <input type="checkbox"/> 3 Federal Question (U.S. Government Not a Party) | Citizen of Another State <input type="checkbox"/> 2 <input type="checkbox"/> 2 Incorporated and Principal Place of Business In Another State |
| <input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III) | Citizen or Subject of a Foreign Country <input type="checkbox"/> 3 <input type="checkbox"/> 3 Foreign Nation |

| | |
|--|---|
| IV. NATURE OF SUIT (Place an "X" in One Box Only) | Click here for: Nature of Suit Code Descriptions. |
| CONTRACT | TORTS |
| <input type="checkbox"/> 110 Insurance | PERSONAL INJURY |
| <input type="checkbox"/> 120 Marine | <input type="checkbox"/> 310 Airplane |
| <input type="checkbox"/> 130 Miller Act | <input type="checkbox"/> 315 Airplane Product Liability |
| <input type="checkbox"/> 140 Negotiable Instrument | <input type="checkbox"/> 320 Assault, Libel & Slander |
| <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment | <input type="checkbox"/> 330 Federal Employers' Liability |
| <input type="checkbox"/> 151 Medicare Act | <input type="checkbox"/> 340 Marine |
| <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) | <input type="checkbox"/> 345 Marine Product Liability |
| <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits | <input type="checkbox"/> 350 Motor Vehicle |
| <input type="checkbox"/> 160 Stockholders' Suits | <input type="checkbox"/> 355 Motor Vehicle Product Liability |
| <input type="checkbox"/> 190 Other Contract | <input type="checkbox"/> 360 Other Personal Injury |
| <input type="checkbox"/> 195 Contract Product Liability | <input type="checkbox"/> 362 Personal Injury - Medical Malpractice |
| <input type="checkbox"/> 196 Franchise | PERSONAL INJURY |
| REAL PROPERTY | <input type="checkbox"/> 365 Personal Injury - Product Liability |
| <input type="checkbox"/> 210 Land Condemnation | <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability |
| <input type="checkbox"/> 220 Foreclosure | <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability |
| <input type="checkbox"/> 230 Rent Lease & Ejectment | PERSONAL PROPERTY |
| <input type="checkbox"/> 240 Torts to Land | <input type="checkbox"/> 370 Other Fraud |
| <input type="checkbox"/> 245 Tort Product Liability | <input type="checkbox"/> 371 Truth in Lending |
| <input type="checkbox"/> 290 All Other Real Property | <input type="checkbox"/> 380 Other Personal Property Damage |
| CIVIL RIGHTS | <input type="checkbox"/> 385 Property Damage Product Liability |
| <input type="checkbox"/> 440 Other Civil Rights | LABOR |
| <input type="checkbox"/> 441 Voting | <input type="checkbox"/> 710 Fair Labor Standards Act |
| <input checked="" type="checkbox"/> 442 Employment | <input type="checkbox"/> 720 Labor/Management Relations |
| <input type="checkbox"/> 443 Housing/Accommodations | <input type="checkbox"/> 740 Railway Labor Act |
| <input type="checkbox"/> 445 Amer. w/Disabilities - Employment | <input type="checkbox"/> 751 Family and Medical Leave Act |
| <input type="checkbox"/> 446 Amer. w/Disabilities - Other | <input type="checkbox"/> 790 Other Labor Litigation |
| <input type="checkbox"/> 448 Education | <input type="checkbox"/> 791 Employee Retirement Income Security Act |
| PRISONER PETITIONS | IMMIGRATION |
| Habeas Corpus: | <input type="checkbox"/> 462 Naturalization Application |
| <input type="checkbox"/> 463 Alien Detainee | <input type="checkbox"/> 465 Other Immigration Actions |
| <input type="checkbox"/> 510 Motions to Vacate Sentence | |
| <input type="checkbox"/> 530 General | |
| <input type="checkbox"/> 535 Death Penalty | |
| Other: | |
| <input type="checkbox"/> 540 Mandamus & Other | |
| <input type="checkbox"/> 550 Civil Rights | |
| <input type="checkbox"/> 555 Prison Condition | |
| <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement | |

| |
|--|
| V. ORIGIN (Place an "X" in One Box Only) |
| <input checked="" type="checkbox"/> 1 Original Proceeding |
| <input type="checkbox"/> 2 Removed from State Court |
| <input type="checkbox"/> 3 Remanded from Appellate Court |
| <input type="checkbox"/> 4 Reinstated or Reopened |
| <input type="checkbox"/> 5 Transferred from Another District (specify) |
| <input type="checkbox"/> 6 Multidistrict Litigation - Transfer |
| <input type="checkbox"/> 8 Multidistrict Litigation - Direct File |

| | |
|----------------------------|--|
| VI. CAUSE OF ACTION | Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): |
| | Brief description of cause: |

| | | | |
|-------------------------------------|---|------------------|--|
| VII. REQUESTED IN COMPLAINT: | <input type="checkbox"/> CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. | DEMAND \$ | CHECK YES only if demanded in complaint: JURY DEMAND: <input type="checkbox"/> Yes <input type="checkbox"/> No |
|-------------------------------------|---|------------------|--|

| | | | |
|-------------------------------------|---------------------|-------|---------------|
| VIII. RELATED CASE(S) IF ANY | (See instructions): | JUDGE | DOCKET NUMBER |
|-------------------------------------|---------------------|-------|---------------|

| | |
|------|---------------------------------|
| DATE | SIGNATURE OF ATTORNEY OF RECORD |
|------|---------------------------------|

| | | | | |
|----------------------------|--------|--------------|-------|------------|
| FOR OFFICE USE ONLY | | | | |
| RECEIPT # | AMOUNT | APPLYING IFP | JUDGE | MAG. JUDGE |

5-10-21

Attachment

①

I am writing this letter to the court because for about a year I have been discriminated on at my job. Which has led to emotional stress, Health stress, also rendering me from monetary bonuses that could have been possible if atmosphere and training was implicated in a professional manner.

I have always worked with a positive and professional mind frame. I have been working since 18 and I have never felt so uncomfortable in my life and never felt like If I quit then maybe the issues would go away. But I realized that I cannot run away from the problem which is people who are so supposed to be leaders and examples of the company.

Since January of 2020 at Medline which is the company I have been discriminated against for my sexuality. From supervisors and trainers and also other team members.

It started off with my first supervisor Fabian speed he was very standoffish would see me and would go other way.

I initially was suppose to be working in Shipping and not sure why because I never worked in that area or had driven Forklift.

The trainer tried to train me on walkie which would be the equipment I would have had to have driven if i was working in shipping.

So i was put in a area called Re Pack which is picking which was a more better position and fit.

I would would even still be in that ~~dep~~ department and still had Fabian as a Supervisor he also had other employees in that department and would communicate there performance, and help them during their 90 day provisonal period even if we got shirts i would be last to get mine.

I have brought this to my warehouse supervisor-manager Xiaver Hollingsworth so many times. I went to his office so frequently trying to get help with my training over months.

He said that he would see whats going on but that never changed.

During your 90 day which is a period to see your work performance

③

To see if there going to hire or keep you on.

I would constantly try and get feedback from my supervisor and it felt like i was just not a priority. He would say he would check but never would get back to me but still would help his other employees that's why i ~~knew~~ knew that there was a problem.

The final time i asked my warehouse manager he called him right there and told him that i was concerned about where i stood with my performance, next thing we see is Fabian coming and he had paper work he wrote me up for attendance also he had papers for me to sign saying that i had made mistakes which is why i was asking for more training so that I wouldn't even be getting them so he waited to last minute to give them to me. which was retaliation just because i continued to involve his manager.

So ~~at~~ before my 90 days my ~~new~~ supervisor changed to Cathy which was LBGT and things were ok a little in beginning then they moved me to shipping. So that meant that I would have to train on equipment again (walkie).

④

The trainer Joe had to train me I could tell that he was uncomfortable because he was being very short with me and not really training me mostly just letting do it on myself which I could have hurt myself. He passed me not even really showing me. thoroughly really trying to just quickly get me out of way. He was training another person and sent me back to floor while he still continued to train another employee which was a male. I felt so bad and emotional stressed because I knew that how I was trained was not professional nor did I have experience and that I was just passed off. Then I was moved from repack which is a department that I was doing OK in to shipping which is a department that I never worked in. The training was horrible. I was never trained my supervisor who was named Kathy because Fabian Speed my supervisor switched a week before my 90 days and that wasn't understandable because both supervisors were in same area neither did my shift change. I honestly think that they changed (supervisor + manager) my supervisor because she was LGBT.

⑥

Through the time that she was my supervisor she tried to help me but it was only so much that she could or was doing. Everyday I would come to work looking to be trained and I would be told that there was no one available and would be waiting or they would just send me to end of shipping just to watch + look at somebody else working one guy was someone who I was familiar with from repack and the other guy was someone who he knew. This became a daily thing. I continued to ask for help very frequently and always got same response that no one was available to train me which I still see trainers training new + other employees. Me and the other employee Derric who worked at end of dock mostly, that what we were seeing was wrong and we knew why. This began to be a continuous topic. I would even point this out to other employees like other employees + new employees that were in shipping + other departments work train for long periods of time and I couldn't even get a hour on training. The atmosphere would be so ~~and~~ uncomfortable that I just thought about just quitting because I became stressed out. Knowing that I wasn't being

...ated fairly.

When I started riding the walkie, I was so unfamiliar with where to go and drop off my pallets that I would go from one end of shipping to other end like a dizzy trying to find where to drop off pallets. I felt so lost doing that. My supervisor was aware of this happening. Also I had countless conversations with warehouse Manager Xavier Hollinsworth he would say that he would do something but never happened.

This has been a very traumatic problem which that the company Medline ~~Freight~~ and its supervisors, trainers, also HR have failed to help me in this situation. This has led me to seek therapy + counseling. I have missed Bonuses + also pay rate increases which I could have gotten. This has also resulted in Retaliation from other supervisors and also team leads which has made working unbearable and stressful and hostile work environment. I'm still continuing to work because I have to but making it impossible to work. I am still continuing to work under these conditions.



INVESTIGATION FORM

WITNESS STATEMENT

I even before now get dizzy + also my anxiety level goes up when im wrapping pallets from the going all way to bottom then going in circles and then theres no limits on how many pallets they will have you wrap mentally not problem but physically yes. and with my condition i dont at this point feel like its even a good thing for me to work in that department for my health.

I was wrapping pallet today and my current supervisor Michael had a issue with me wrapping pallet from top which helped me and he told me to start from bottom which rarely people do + Im 6'0 ft so its better for me to wrap that way he had a real issue with me doing it that way to were he stood there telling me i want you to start from bottom mind you Im already half-threw wrapping pallet + almost at bottom. He ~~to~~ said so are you not going to do it the way I asked you + I told him that I would but Im almost at End and I would start it on the next pallet he was being very combative and even seemed upset this was after I had conversation with Xavier + Xavier having conversation with him. I also told him that I was trained at all from where to start when wrapping Pallet. He didnt wanna just leave
 2) no alone he stood there and looked me in my face

for at least 4 to 5 seconds didn't understand why he was so upset.

So with that being said for me to have Supervisor's + also trainers who never helped or felt uncomfortable around me. I feel that it is unjust for me to be in that department with no one to help me nor appreciate my work ethic.

I've also have come in contact with another Supervisor in shipping by the name of Joe + he has never said not one word to me and to be honest that's not supervisor like and we have to work around each other! He has always frown on his face when he looks at me and I don't feel comfortable with that kind of behavior especially coming from supervisor. This morning 10/4 I was going out of break room going outside and he was coming in I even held door open and he just went all the way to side getting out of way and still never saying good morning nor thank you for me holding door. I found that to be very of his demeanor towards me is very dark and stand offish. I went to restroom and on my way someone asked me a work related question and he seen me and was watching me then he came with Sandra and he said were are you supposed to be I said I'm going to restroom, I asked him you never say anything to me now now when you see me and his response was "Man go to the dock" I found his behavior to be very disrespectful and again he also rolled his eyes and pointed towards dock (b) (6)



INVESTIGATION FORM

WITNESS STATEMENT

I have been working in shipping and it still feels like first day of school with my knowledge. Certain procedures and learning.

My second supervisor tried to help me a little bit but it still wasn't at a level of that I am supposed to be at. I constantly brought the training issue up. It seemed like there wasn't enough time. There would be weeks of "I'm sorry I'll get to it" and that never happened.

My productivity working in shipping has never been positive. I have constantly been negative. When you are constantly going week after week and not getting fully trained nor helped with things you're lacking in as far as training for your job, you began to feel left out & also not apart of team! I pled everyday also trying to suck it in & stick it out hoping for best because I wanna do better but it's seeming like it cannot happen! Some days walking into shipping and everyone's getting started what they're doing & doing good you kinda get discouraged about your job! I have had numerous conversations with warehouse ^{manager} lead which who is mostly understanding and tries to help but to no avail.

(8)

I recently went to doctors office and had check ups and appointments and I have had a certain diagnosis but didnt realize that it was so harmful until i got older which causes me to react in certain way which is the reason its not safe for me to drive machinery at work. when i got this excuse from my doctor not to drive the machinery. I was moved back to repack working in repack helped me with my

productivity and also my mind frame + also drive to work harder at medline. I started being positive and also started feeling motivated.

Everything was going good and then last friday 10/30/2020 i was told to ~~com~~ go back to shipping. at the end of day I went to ask my supervisor what was the reasoning for me going back he said that its because they were busy but they have been busy for weeks extremely even staying late he was still to this day ^{giving me} ~~supposed to do~~ at observation ^{train me on clock} and still yet to close!! He told me on 30th of october that he was going to do one or 10/2 im writing this ~~statement~~ statement of 10/4 At this point Im not sure on who to talk to or what to do.

**INVESTIGATION FORM**

#125769 10/4/2020

WITNESS STATEMENT

I am writing this statement because I am completely at a point to where I don't know what to do in these situations that I continue to have. It has been a struggle and battle trying to keep my sanity.

I first started off in repack when I first started initially my department was in shipping which I have never done before which was still not a problem because I'm but I never drove a walkie before so it was new for me so the trainer tried to train me on walkie my 1st day and it was not a success so they moved me to repack at first it was struggle but I was positive sometimes but once I got hang of it then it was better. So even in my first months I had a ^{shipping} supervisor who really didn't check-up on me on never asked about my productivity or did observe at all. So I was kinda left hanging. I was a week or two from my 90 day review and my manager at the time told me that I was good & when that time came I wasn't and was also extended.

11-28-2021

6:45 am -
6:00 am

Around ↑ Joe was walking
and as I was talking to associate

- and I just so happened to
look up and he look at me
and rolled eyes at me and
I told associate and what he
did.

At 6:45 approximately ~~for~~

Supervisor Simon came and
told me that Joe said that
me and another associate
were not social distancing
and I explained to Simon
that we were and that

Supervisors HR
LISA BOWEN
 Fabian Speed 1st
 Katherine 2nd
 Micheal 3rd
 Sandra Hale
 JOE - Supervisor
 Walker Shipping
Trainers
Carter
 JOE - Trainer
 Christopher Hill Trainer
Warehouse Manager
 Xavier Hollinsworth
Site Manager
 Wayne Lam

| Fax Header Information | | | | |
|------------------------------|--------------|----------------------|----------------|----------|
| Medline Industries, Inc. B06 | 972-525-6261 | Jan-25-2021 12:04 PM | | |
| Job | Date/Time | Type | Identification | Duration |
| 5053 Jan-25-2021 12:03 PM | Send | 12142532720 | 0:38 | 1 |
| Success | | Pgs Result | | |

Employee Statement Form

Date of Statement: 3-24-21

Printed Name: Lee Moss

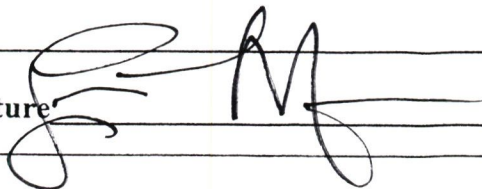
Position: Operations

Region: West

Facility Name: B06

I am writting this statement because I am continuously being harressed by Olisha - 3AM Lead !! It's starting to become to much she doesn't speak nor give any ~~dire~~ direction on anything dealing with the day to day Production! She only tells me when Im doing something wrong and she lets me do the mistake or thing that she doesn't want me to do first then she comes to tell me after the fact even though she's already watching me! This has been a onging thing and I have brought this up to supervisor Simon + Same thing stills continues to happen. Today a employee by the name of darryl mosely is a new employee + sometimes he ask questions and if I know answer I will help + If not I direct him to managment or supervisor.

Employee Signature



Date 3-24-21

Employee Statement Form

Date of Statement: 3-24-21

Printed Name: L. Moss

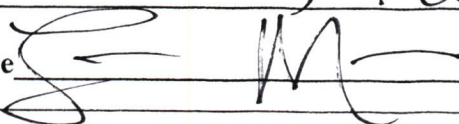
Position: Operations

Region: West

Facility Name: B06

Today this has happened "2 times" which he asked me a question were Olisha would just come behind not so close but maybe 10ft and just stand there not say anything just stare @ us @ computer and look irritated for what I'm not sure. The ^{2nd} ~~last~~ time she did the same thing but she had Cassandra which she used to be lead on weekend shift just sit there and watch the both of us like we were doing something wrong. Her ^{Olisha} + Cassandra had conversation obviously before because as I'm leaving computer they were both looking @ me and him as I was walking off. I kinda figured that, ^{that} was what they were doing so I asked Cassandra did she need me + she started to laugh + say no. But Olisha was still just looking @ computer with cold face. This has been a continuous thing that has become to be ^{so} stressful.

Employee Signature



Date 3-24-

10th started back on
2020

12/7 - 12/12

Started back to work

Sandra barely spoken

when first come in

to get temperature.

throughout week no

communication nor

direction The Whole

entire week even

Saturday!!

We got ready to go

because we were to

go home @ 11:30 am

but left @ 12:00

Sandra came in

telling everyone

② to go home I

was in TC Room
 she came in telling
 people to go and
 I was helping Co workers
 and she looked
 directly down @ Co workers
 and told them to go.
 home and didn't look
 or ~~ack~~ acknowledge
 me and then walked
 off

12-14-2020

was told by Sandra
 middle part of Day by
 Xavier that he wanted
 me that he wanted
 me to build carts
 she just told me to
 sign into cart building
 no reasoning why nor
 further direction.
 -made boxes in between
 and when started
 day.

3:00 - 2:30

12-15-2020 Tuesday

Sandra came while making Boxes I took only two of us and she only communicated with him on what was going on and walked right by me not informing me on further direction as she did him.

(Paryl Mosley

4:33am

Sandra called my name and then said we need

A Boxes while pointing disrespectfully to me.

Alicia also has not been communicating information. I have not been getting info from her as well no direction the information ~~was~~ is being told to someone else even though were doing same task.

12-16-2020

Alicia was asked a question about if we had certain boxes and she act like she didn't hear me. 4:05am
5:45am Alicia + Sandra gave all people who were doing boxes directions they were also moving things and did not communicate further directions or on what we were doing.

12-16-2020 6:39am

Tasked a team member who's doing boxes as well as I am about what Alicia + Sandra said about boxes because they failed to tell me that the boxes that we use to extend boxes on row out that Alicia told her that they weren't going to use ^{the} A boxes that we use to extend row was a "Safety" hazard and that we weren't going to use them.

anymore, and that the Supervisor Sandra Hale that she told her that were not going to use them + that there gonna do it old way. - had @ 7:30 Alicia ~~was~~ another conversation with box makers + still ~~was~~ didn't address me. - 7:35am Shore called Alicia and I went to get more boxes to

build as I'm loading my cart Alicia snaps pictures of boxes that I'm making and didn't give me any feedback on what's wrong with them. @ 7:52 Alicia came and took 2 of my boxes down and threw them away I'm assuming and still at no point told me I was doing anything wrong.

12-17-2020

started day off making boxes there wasnt issue olivia still did not give any communication but wanted to make it known that she was directing whoever she was telling to do something by talking louder when she was telling them what to do as far as direction. I called my doctor first when i went to break and

because I was directed to go put labels on a pallet but it was still similar to me wrapping pallets and it was also continuous going around in circles possibly could have caused a flare up. I called director of HR for B-06 to explain that I could not do what was asked because its part of my restriction. After I came back from lunch Xavier

Came to explain that it was his fault for not reviewing information first and he takes full responsibility for not reviewing terms first before sending me to do another duty.

8:40am
He told me that they (HR) Lisa would be getting my accommodations together. 9:30am
Xavier called me into his office

and had my accommodations dated 12-16-2020 but Xavier told me that it wasn't ready earlier and all week I had been at work for two weeks as of 12-17-2020. So I didn't understand why it wasn't ready.

are there going and they didn't appear to know
 + they were looking at. So I got very frustrated
 use I knew that they were looking for me so
 rned around and went straight to Warehouse Super.
 office which was close and knocked on his door
 ewas talking to employee. so I said I would
 back but as im walking

comes Joe - supervisor and behind me was
 ware house manager asking me did I need
 ing I started to walk towards him and I told
 do you see them following me!! My manager
 on the other side of freezer just standing.
 situation has stressed me out completely to

its affecting my health and mental ability
 ot feel comfortable with manager who not only
 ne but harrasses me and gang up on me with
 er supervisor who makes me feel uncomfortable with.

is same day I went to lunch and as im in my car
 panic attack from stress and faint in car to were
 to leave for the day. Im hoping that we can
 out solution that ~~we~~ can be comfortable with (A)

I'm not or never knew what the problem was!
 Close to my 90 day review I had a conversation
 with the warehouse manager, and he called
 the supervisor and told him what I needed.
 The supervisor told me why I didn't say anything
 to him & said I see him everyday which I
 didn't he then brings me a papers for
 WJS's and told me that I ~~had to~~ should
 be good.

After that ~~my~~ ~~she~~ ~~was~~ ~~trying~~ ~~to~~ ~~help~~ ~~me~~ ~~and~~ ~~she~~
 she was trying to help me and she
 started me with a trainer and the trainer
 never trained me thoroughly and I would
 just get bits & pieces and not even lasting
 no more than 15-20 minutes which is not
 a good training ethic. I had to ask the trainer
 most questions because never really engaged
 in asking me do you know this are you
 understanding we was training with
 another employee and that was his focus.
 working in shipping I'm constantly lost because
 I don't know what I'm doing. I am always very
 interested in learning new and different
 things. but wasn't giving chances to learn
 everything.

and when I walked away he said what did you say
and then Sandra started laughing I just continued
to walk off and towards warehouse managers
Office.

So for me to work in a department were they
~~manic~~ supervisor nor trainers try to help me
nor are concerned ~~by me~~ for My Productions
nor helping me I dont think that it is
a positive outcome for me.

Everyday coming in with positive mind frame
and having that unsureness from your supervisor
whos supposed to help you is not good feeling but
~~hopeless~~ at same time feeling hopeful for change.

FM

10/4/2020

10:43 AM

①

I wanted to Inform you on things that have been occurring during my time @ medline thro my 90 days. I have constantly been writting up and its been done by Supervisor Simon ~~an~~ Shift supervisor which he has an issue with me and also his clerk ~~mami~~. I would be writting up for things that could have been fixed and was fixed! I donot have a problem with it only if i wasnt ~~treated~~ singled out. There have been multiple instances where others make mistakes ~~and~~ they donot get OSI's. This has happened multiple times and I know for myself Because Ive helped another coworker and have asked other employees and they got something wrong but did not get OSI's. Ive even helped a coworker who's whole ~~cart~~ cart was OSI's and they ~~o~~ didnt receive any. That is absolutely not right to treat ~~o~~ me in that manner because you donot like someone.

Simon (supervisor) has had issues with me starting around a month of me being @ medline. I have reported this to warehouse manager Xairer @ least 4 or 5 times but this issue is

Ongoing. I'm just not sure on what to do about the situation. It feels like I'm being set up for failure.

I work in a repack but my manager was Fabian Speed. I also brought these issues up to him as well. I would ask him and also train me on equipment and that has yet to happen. I have constantly asked him to help me with ensuring that I would get thru my 90 day period successfully. I would ask him questions about ~~in learning new & different things to train~~ ^{setting me} getting me trained & learning different ~~to~~ areas around repacking and I would need my manager to do that. I've asked the managers in repack could they help me train in different areas and they would refer me back to my manager and still nothing. Fabian Speed would see me but still avoid speaking or going over any ~~of~~ updates or any issues that I need to work on. Fabian brought me OSI's to sign. A month in a half after they were gotten he just brought me a pack of papers for me to sign which were OSI's. I would tell him that I need work on those areas and still no help.

I also had conversations with warehouse

manager Xavier about OSI's that Simon was giving me that weren't ~~to~~ right he said he would talk to him and see what the issue was but he never got back to me and OSI's still looked over by him.

I've wrote a statement to HR about this issue and still nothing was done.

I've also had wrote a report by pushing the red button to receive this issue

I just feel that In the way of me being good with my job because I am a fast learner and also ambitious and willing to learn that I have not been getting the proper ^{training} ~~attention~~ to learn successfully. I've time and time again also went to my trainer and voiced my opinion about more training and would get response as they were busy and training other people. I'm just not sure what to do at this point and needing this ~~to be~~ ^{associates can} to be resolved so that me and other also get the proper training they need to be successful at medline.

③ Fabian would come check on his other associates that work under him! It has been a ongoing issue that I had had and to be honest I don't feel that I am being treated ~~equally~~ equally. And managers and Supervisors that don't help to make you successful.

My Supervisor @ the time Fabian speed, I had a conversation with the warehouse supervisor ^{Xavier} that I don't know where I stand. He called Fabian on phone and told him to get with me and go over things that I was concerned about. Fabian later that day got with and we were going over things and ~~to~~ @ this time brought more papers for me to sign and they were still past due and they were supposed to be given to me weeks ago. At this same time I told him that I need more training and that still didn't happen. My manager changed a couple of days before my evaluation for my 90 days. I asked Fabian before that and he implied that I would be OK and that I should be good and that I wouldn't have to be extended and when that time not him but another manager gave me my evaluation who didn't know anything about my 90 days nor never had conversation with me.